

REMARKS

The subject application presently includes claims 15-19 and 21-29, with claims 15 and 23 being in independent form. By this amendment, claims 15, 17 and 23-26 have been amended as set forth above. No new matter has been added.

The Examiner has rejected claim 23 under 35 U.S.C. § 102(b) as allegedly anticipated by United States Patent No. 5,614,146 (Nakamura). The Examiner has also rejected:

claims 15-17 and 19 under 35 U.S.C. § 103(a) as allegedly rendered obvious over Nakamura;

claims 21 and 22 under 35 U.S.C. § 103(a) as allegedly rendered obvious over Nakamura, in view of admitted prior art;

claims 17, 24 and 25 under 35 U.S.C. § 103(a) as allegedly rendered obvious over Nakamura in view of United States Patent Nos. 3,602,496 (Langenhei), 6,159,568 (Freedman, *et al.*), 4,986,866 (Ohba, *et al.*) and 4,992,038 (Furuse, *et al.*); and

claims 18 and 26-29 under 35 U.S.C. § 103(a) as allegedly rendered obvious over Nakamura in view of United States Patent No. 4,479,771 (Slat, *et al.*).

After carefully reviewing the Examiner's rejections and the comments provided in support thereof, applicants respectfully submit that the claims as amended present allowable subject matter, and therefore request the withdrawal of the outstanding rejections.

The subject invention is a method and apparatus for injection molding a receptacle having a flat covering label. The label is preshaped by sealing at least two edges of the label together so that the label has a shape conforming to the core of the mold. The pre-

shaped label is then folded flat for storage, preferably in a magazine for later dispensing. A movable pneumatic gripping means grips an outside face of the label and reshapes the label into its unflattened configuration. The unflattened label is then transferred and deposited onto the mold core, and plastic is introduced into the mold to form the receptacle with the label embedded in the outside of the receptacle formed by the method.

The claimed method and apparatus differ from Nakamura. Nakamura teaches the use of a pseudo-core 2 to pick up a flat label **L** from a stack of labels. By applying air suction to one side of the flat label (Fig. 3), the label **L** is removed from the stack and placed in proximity to the pseudo-core 2. Once there, air is drawn through suction passages 21b (Fig. 4) to draw the flat label **L** around pseudo-core 2 (*see* broken lines in Fig. 4) and provide the desired shape to the flat label **L** (shown in Fig. 5). This is described in Nakamura at col. 4, lines 45-59. Label **L** may then be placed onto the cavity (matrix) of the mold (*see* Nakamura, col. 5, lines 6-13).

This differs from the procedure claimed in claim 15 and the apparatus of claim 23, in that claims 15 and 23 specifically recite that the label must be pre-shaped, with at least two label edges sealed together. This difference is important because it obviates the need to use the pneumatically driven *suction* passages of Nakamura to *form* the label prior to placement of the label in the mold. Pre-forming the label prevents misalignment of the label's ends in the mold, and makes the placement of the label within the mold much simpler and less expensive. In addition, no pseudo-core is required in the practice of the claimed invention, eliminating a costly mold part and eliminating a step in the manufacturing process.

Moreover, Nakamura's requirement of a pseudo-core for imparting a desired shape to the flat label teaches away from the inventive process and apparatus, which do not

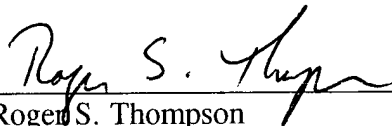
include such a feature. Accordingly, Nakamura does not render the claimed method and apparatus obvious.

Thus, the invention as claimed is neither anticipated by Nakamura nor rendered obvious thereby when considered alone or in combination with the other references relied on by the Examiner.

For these reasons, therefore, it is respectfully submitted that the application is now in condition for allowance. Early and favorable action is therefore respectfully solicited.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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